

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Edward Tsigel	Team: Squad #4	CCRB Case #: 202003843	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 06/03/2020 12:40 AM	Location of Incident: Intersection of Atlantic Avenue and 3rd Avenue	Precinct: 84	18 Mo. SOL 12/3/2021	EO SOL 5/4/2022	
Date/Time CV Reported Wed, 06/03/2020 9:36 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Wed, 06/03/2020 9:36 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. An officer			

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Force: Officers used physical force against an individual.	
B. An officer	Force: An officer used physical force against an individual.	
C. An officer	Force: An officer used physical force against an individual.	

Case Summary

On June 3, 2020, § 87(2)(b) called the CCRB and filed this complaint on behalf of two unknown individuals.

On June 3, 2020, at approximately 12:40 AM, on Atlantic Avenue and Third Avenue in Brooklyn, § 87(2)(b) witnessed unidentified officers tackle an unknown Black male to the ground (**Allegation A – Force – § 87(2)(g)**). An unidentified officer punched the Black male (**Allegation B – Force – § 87(2)(g)**). An unidentified officer pushed an unknown bystander (**Allegation C – Force – § 87(2)(g)**).

There is no Body Worn Camera (BWC) footage regarding this incident. § 87(2)(b) provided the CCRB investigation one cell phone video recording (BR 02) and one photograph (BR 03).

Findings and Recommendations

Allegation (A) Force: Officers used physical force against an individual.

Allegation (B) Force: An officer used physical force against an individual.

Allegation (C) Force: An officer used physical force against an individual.

On June 3, 2020, at approximately 12:40 AM, § 87(2)(b) was in her apartment § 87(2)(b), § 87(2)(b) in Brooklyn. She heard police sirens outside, looked out of her apartment window and saw an unknown Black male running south across Atlantic Avenue (BR 01). Approximately three to four uniformed officers pursued the Black male on foot. Simultaneously, at least three marked NYPD SUVs arrived at the intersection. § 87(2)(b) did not see the license plate numbers or any identifying numbers on any of the police vehicles. At least five officers exited the marked vehicles and ran toward the Black male. Approximately seven to eight officers tackled the Black male to the ground. A white male officer in a blue uniform punched the Black male. § 87(2)(b) did not see where or how many times the officer punched the Black male. There were approximately fifteen officers present, the majority of whom were White males, and they were all wearing either blue or white uniforms. § 87(2)(b) began recording the incident on her cell phone (BR 02) and took one photograph (BR 03) which she provided to the CCRB. After approximately two minutes, officers restrained the Black male, lifted him off the ground, and escorted him North on 3rd Avenue. After a few minutes, the remaining officers got into their police vehicles and left the scene.

From 0:00 to 0:42 of § 87(2)(b)'s cell phone video (BR 02), two marked NYPD SUVs are standing at the Southeast corner of Atlantic Avenue and 3rd Avenue. There are approximately twenty officers at the scene. At 0:45, in the middle of the video frame, approximately three to four officers escort a Black male wearing a white shirt, dark pants, white shoes, and dark backpack North on 3rd Avenue. Simultaneously, at 0:45, at the top of the video frame, an officer in a blue uniform pushes an unknown bystander who appears to be wearing dark clothing. The photograph that § 87(2)(b) provided (BR 03) is consistent with the video footage. There is no identifying information for any victims, officers, or vehicles seen in either the photo or video that § 87(2)(b) provided.

The CCRB received negative results for two requests of BWC footage of this incident (BR 04-05). The BWC footage requests included search parameters for an incident that occurred in the vicinity of Atlantic Avenue and 3rd Avenue, in Brooklyn, on June 2, 2020, or June 3, 2020. Additionally, the undersigned called multiple establishments at the incident location and determined that there were no sources of video footage available.

A city-wide curfew was in effect from 8 PM on June 2, 2020, to 5 AM on June 3, 2020 (BR 06).

Atlantic Avenue and 3rd Avenue is located within the 84th Precinct and approximately two blocks from both the 78th Precinct and the 88th Precinct (BR 07).

The 84th Precinct Event Summary on June 3rd, 2020 (BR 08) revealed one event that occurred at the location and approximate time of the incident. The event (BR 09) and radio communications (BR 10) revealed that there were four individuals under arrest at the location and approximate time of the incident. The radio call was made by a Brooklyn North Detail Captain, but it did not specify which Captain or from which command. The event does not provide any additional identifying information regarding this incident. The Brooklyn North Detailed Roster (BR 11) revealed that there were at least ten Captains assigned to the Brooklyn North Detail on June 3, 2020, none of which were assigned to a post near the incident location. The 84th, 78th, and 88th Precincts Event Summaries on June 2nd and June 3rd, 2020 (BR 08) did not reveal any additional relevant events.

The 84th Precinct Command Log on June 3rd, 2020 (BR 12) identified four potential victims who were arrested at the location and approximate time of the incident. The investigation exhausted contact attempts to each of the four potential victims without response. The 84th, 78th, and 88th Precincts Command Logs on June 2nd and June 3rd, 2020 (BR 12) did not reveal any additional relevant information.

The 84th, 78th, and 88th Precincts Resource Recap Logs on June 2nd and June 3rd, 2020 (BR 13) did not reveal any relevant events at the location and approximate time of the incident.

There were no Aided Reports (BR 14), Threat Resistance and Injury Reports (BR 13), Stop Reports (BR 15), or Complaint Reports (BR 16) generated for any individuals at the approximate location and time of the incident. There were no relevant summonses issued in the 84th Precinct (BR 19), 78th Precinct (BR 20), or the 88th Precinct (BR 21) on June 2nd or 3rd, 2020. A BADS search did not reveal any arrests that occurred in the vicinity or approximate time of the incident.

Prisoner Holding Pen Rosters from the MAPC (Mass Arrest Processing Center) (BR 17) and 84th, 78th, and 88th Precincts (BR 18) on June 2nd and June 3rd, 2020, revealed more than 100 arrested individuals. The investigation could not narrow down a group of potential victims.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR 22).

Mediation, Civil and Criminal Histories

- This case was not eligible for mediation.
- As of February 18, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to this complaint (BR 23).

Squad No.: 4

Investigator: Edward Tsigel Inv. Edward Tsigel 03/01/2021
Signature Print Title & Name Date

Squad Leader: Raquel Velasquez IM Raquel Velasquez 03/02/2021
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date